
☐ INITIAL APPEARANCE

DATE: April 28, 2006

☐ BOND HEARING☒ DETENTION HEARING

Digital Recording 3:05 - 3:50

☐ PRELIMINARY (EXAMINATION)(HEARING) (PROCEEDINGS SEALED 3:42-3:43)☐ REMOVAL HEARING (R.40)☐ ARRAIGNMENT

PRESIDING MAG. JUDGE: Susan Russ Walker**DEPUTY CLERK: Joyce Taylor****CASE NO. 2:06mj39-SRW****DEFENDANT NAME: Joseph Anthony Gutierrez****AUSA: David Cooke****DEFT. ATTY: Kevin Butler**Type Counsel: () Retained; () CJA; () Waived; (☒) FPD**USPO/USPTS: Ron Thweatt****Interpreter needed: (☒) NO; () YES Name:**

☐ Date of Arrest or ☐ Arrest Rule 40☐ Deft First Appearance. Advised of rights/charges. ☐ Prob/Sup Rel Violator☐ Financial Affidavit executed. ORAL MOTION for appointment of Counsel.☐ ORAL ORDER appointing Federal Public Defender - Notice of Appearance to be filed☐ Panel Attorney Appointed; ☐ to be appointed - prepare voucher☐ Deft. Advises he will retain counsel. Has retained _____☐ ☐ Government's ORAL Motion for Detention Hrg. ☐ to be followed by written motion; ☐ Government's WRITTEN Motion for Detention Hrg. filed☒ Detention Hearing ☒ held; ☐ set for☐ ORDER OF TEMPORARY DETENTION PENDING HEARING to be entered☐ ORDER OF DETENTION HEARING PENDING TRIAL to be entered☐ Release order entered. Deft advised of conditions of release☐ ☐ BOND EXECUTED (M/D AL charges) \$. Deft released☐ ☐ BOND EXECUTED (R. 40) - deft to report to originating district as ordered☒ Bond not executed. Defendant to remain in Marshal's custody☐ Deft. ORDERED REMOVED to originating district☐ Waiver of ☐ preliminary hearing; ☐ Waiver Rule 40 hearing☐ Court finds PROBABLE CAUSE. Defendant bound over to the Grand Jury☐ ARRAIGNMENT ☐ HELD. Plea of NOT GUILTY entered. ☐ Set for**DISCOVERY DISCLOSURE DATE:**☐ WAIVER of Speedy Trial. **CRIMINAL TERM:**☐ NOTICE to retained Criminal Defense Attorney handed to counsel

CONTINUATION OF PROCEEDINGS:

3:05 p.m. Court convenes.

3:06 p.m. Testimony begins.
Government's direct examination (Thweatt)

3:10 p.m. Court's questions to witness (Thweatt)

3:11 p.m. Mr. Butler's cross examination (Thweatt)

3:24 p.m. Government rests.
Mr. Butler's direct examination (Thompson)

3:42 p.m. Mr. Butler's **ORAL MOTION to SEAL** the following portion of this proceeding.
Court's **ORAL ORDER** granting oral motion to seal this portion of proceeding.
Mr. Butler's resumes direct examination (Thompson) (**SEALED**)

3:43 p.m. Mr. Butler rests.
Court directs that proceeding can now be **UNSEALED**.

3:44 p.m. Mr. Butler's oral arguments.

3:48 p.m. Government's response.

3:50 p.m. Court will detain defendant
Court recessed.